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NOTE

There is one Extraordinary issue to the Official Gazette, Series I No. 32 dated 6-11-2014, namely, Extraordinary dated 6-11-2014 from pages 1169 to 1170 regarding the Election Symbols (Reservation & Allotment) (Amendment) Order, 2014—Not. No. 3-1-87/ELEC/4582 from Department of Elections (Office of the Chief Electoral Officer).

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GOVERNMENT OF GOA**Department of Agriculture****Directorate of Agriculture****Notification**

3/5/EXT/31-B-SAA/2014-15/D.Agro/400

“Special Agriculture Awards”

Introduction:— Government of Goa has introduced a Special Agriculture Award (SAA) for outstanding agriculturist of the State from year 2014 onward. The scheme is therefore notified for information of the general public.

1. *Short title and commencement.*— (i) The scheme shall be called “Special Agriculture Awards”.

(ii) The scheme shall come into force with immediate effect and shall remain in force till it is withdrawn.

(iii) The scheme shall cover all talukas of the State of Goa.

2. *Objectives.*— (1) To recognize efforts put in by the self cultivating farmers in particular field.

(2) To recognise the outstanding performance of farmers who use innovative

and best practices in particular field and crops of State.

(3) To boost the morale of farmers in improvement of productivity.

3. *Eligibility.*— (1) The applicant should be a full-time resident of Goa and full-time farmer.

(2) Applicant should be totally dependent on agriculture as his main source of income.

(3) Applicant should integrate various agriculture activities to generate maximum income from his available land.

(4) Applicant should exhibit originality in his agricultural venture.

(5) Applicant should have a minimum of 1 ha area of his own or inherited or on long lease.

(6) Applicant should not be a recipient of State Krishi Award/State Level Award in Agriculture in the past.

(7) Companies, institutions or any organization will not be eligible for the awards.

4. *Pattern of Assistance for Special Agriculture Award.*— The "Special Agriculture Award" shall be considered as the lifetime achievement award and awarded to the Best Farmer in a particular field, crop of the State.

The awards shall be presented to the outstanding farmer of Goa which would include Cash Award and Citation as below:—

1. *Fr. Inacio Almeida Annual Award.*— In memory of Fr. Inacio Almeida Award shall be presented to best farmer of State who innovatively practices organic farming & traditional Medicinal Plant crop cultivation (innovative methods adopted by farmer which could be replicated by other farmers.) — Rs. 0.50 lakhs.

Honorarium shall be paid to the Judging Committee as detailed below:—

1. Official member of the Judging Committee shall not be paid any allowance.

2. Non Official members shall be paid a lumpsum of Rs. 5,000/- as honorarium for the entire selection process.

The outstation judges shall be provided free accommodation and boarding by the Government or reimbursed at the rate of Rs. 3,000/- for lodging and Rs. 500/- for boarding per day. Travel cost shall be provided by the Department of Agriculture for outstation judges as per actual for AC II tier or @ Rs. 15/- per km towards hired taxi charges whichever is adopted.

The miscellaneous expenditure towards award ceremony, presentation of citation, certificate, bouquets, travel cost of recipient etc., shall be borne by the Government.

Selection:— The criteria for selection for award shall be based on the following parameters.

(1) Innovative practice in Agriculture, traditional, medicine and organic farming.

(2) Integration of various activities in agriculture and allied Sector to tap maximum output from available sources on farm.

(3) Potential for influencing other farmers for obtaining higher yield and productivity.

(4) Originality in venture undertaken.

(5) Record of farm accounts, yield & expenditure.

(6) Exploration of new method for marketing and value addition of agriculture produce, etc.

(7) Demonstration on Agriculture/Horticulture ventures as economically viable activity.

Judging Committee:— The nominees for "Special Agriculture Award" and "State

Agriculture Award" shall be judged by the committee duly approved and constituted by the Government. To bring in transparency and better selection process for the prestigious Special Agriculture awards, the selection process will consist of judges from outside State Government with Department of Agriculture as Nodal Department and the committee shall consist of the following:—

1. Scientist nominated by — Chairman
Dr. Balasaheb Konkan Krishi
Vidhyapeeth Dapoli
2. Associate Director of Rese- — Member
arch, Regional Fruit Research
Station, KKV-Vengurla, Mahara-
shtra or his Representative
3. Director ICAR, Complex for — Member
Ela Old Goa or his representative
4. Director of Agriculture — Member
Secretary.

The recommendation of the committee shall be considered by the Government for final approval.

Application form:— The form for application of the award is annexed.

The prescribed forms will be made available with the concerned Zonal Agricultural Officers, to desiring farmers.

Relaxation:— The Government shall be empowered to relax any or all clauses or conditions of the scheme in genuine cases.

However for release of financial assistance in such case will be considered only with the approval of Finance (Exp.) Department.

Interpretation:— If any question arises regarding interpretation of any clause, word, expression of the scheme, the decision shall lie with the Government, which shall be final and binding on all concerned.

Redressal of grievances and disputes:— Grievances if any, arising out of the implementation of this scheme, shall be heard and decided by the Minister for Agriculture and the decision of the Minister for Agriculture in this regard shall be final and binding on all concerned. This issues with the concurrence of Finance (Expenditure Department) under U. O. No. 4202/F, Fin (Exp.) dated 13-10-2014.

By order and in the name of the Governor of Goa.

Orlando Rodrigues, Director & ex officio Joint Secretary (Agriculture).

Tonca, Caranzalem, 27th October, 2014.

GOVERNMENT OF GOA
Directorate of Agriculture
Tonca Caranzalem-Goa

Application for nomination for Fr. Inacio Almeida Annual Award

(The last date for submission of the proforma is 5th November, 20.....)

1. Farmer's Name and Address:

Shri/Smt.

Mailing Address:

Adhar Card No.:

Krishi Card No.:

Date of Birth:

Educational Qualification:

Tel. No.: Mobile No.:

E-mail:

(If you do not have telephone, please give contact number on which you are accessible).

2. Details of land under cultivation/production (attach copies of land index):—

(i) Land:

- (a) Owned by the farmer ha.
- (b) In the name of the other family members
- (c) Taken on rent/lease by the farmer
- (d) Survey No.
- (e) Village/Location
- (f) Taluka

Photograph of Farmer

(ii) Crop: Details of the crops grown

Organic & Medicinal crops grown

(iii) Other crops grown:

(a) Agronomic crops:

- (a) Paddy ha.
- (b) Sugarcane ha.
- (c) Vegetable ha.
- (d) Other crops ha.

(b) Horticulture Crops:

- (e) Coconut ha.
- (f) Mango ha.
- (g) Arecanut ha.
- (h) Banana ha.
- (i) Cashew ha.
- (j) Other crops (specify) ha.

(iii) Produce:

(A) Agronomic crops:

- (a) Paddy kg. from the area of ha.
- (b) Sugarcane kg. from the area of ha.
- (c) Vegetable kg. from the area of ha.
- (d) Other crops kg. from the area of ha.
(specify)

(B) Horticulture:

- (e) Coconut nuts harvested from ha.
- (f) Mango Nos. harvested from ha.
- (g) Arecanut kg. from the area of ha.
- (h) Banana kg. from the area of ha.
- (i) Cashew kg. from the area of ha.
- (j) Other (specify) kg. from the area of ha.

(iv) Documentary evidence if any, to support quantity of produce grown or sold by farmer (Attach copy).

3. Financial turnover over a period of five years.

(a)

Year	Labour expenditure including own wages (Rs.)	Material expenditure (Rs.)	Total (Rs.)
2008-09 — 1st year	Rs.		
2009-10 — 2nd year	Rs.		
2010-11 — 3rd year	Rs.		
2011-12 — 4th year	Rs.		
2012-13 — 5th year	Rs.		

(b)

No. of mandays spent in farming on a monthly basis

	April 2012	May 2012	June 2012	July 2012	Aug. 2012	Sept. 2012	Oct. 2012	Nov. 2012	Dec. 2012	Jan. 2013	Feb. 2013	March 2013
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- a) Self days
- b) Family members days
- c) Hired labourer days

(c) Income generated on Farm for last years from the cultivated area.

Year	Gross income generated (Rs.)	Net income (Rs.)
2008-09		
2009-10		
2010-11		
2011-12		
2012-13		

4. (a) *Irrigation infrastructure available on the Farm*

Infrastructure	Details
(a) Well	Number
(b) Water pump	Make & Capacity
(c) Pipeline	Size & Length
(d) Sprinkler/Drip	Hectare

(b) *Machinery: Type*

(c) Details of implement, if any
 (viz. Bullock/power drawn implements, plant protection appliances, others Bullock cart, Farm shed, two/four wheeler, bio-gas plant etc).

(d) *Others*

Implement	Number

5. *Details of Dairy, if any:*

- (a) No. of Cows:
- (b) Breed:
- (c) Milking Cow:
- (d) Milk produced per day:
- (e) Green Fodder cultivated:

(i) Type:
(ii) Area:
(iii) Quantity produced per month:

(f) Farm Yard Manure produced per month:
(i) Income from farm yard:
(g) Total income from dairy activity Rs. per month:

6. Details of Poultry, if any:

- (a) No. of birds:
- (b) Total broilers sold per month:
- (c) Total eggs sold per month:
- (d) Total gross income generated per month:

7. Vermi-compost unit, if any:

- (a) Total capacity of the unit:
- (b) Total quantity produced per month:
- (c) Value of the produced:
- (d) Net income received from sale of compost:

8. Primary processing facilities at farm, if any (specify)

- (i) Quantity produced:
- (ii) Value of produce sold:
- (iii) Net income from produce:

9. Soil & Water Conservation methods adopted (details to be attached in 100 words).

10. I have promoted the following concept which could be adopted by other farmers.
Concept Note: Topic (attach note separately).

11. Prizes/awards and recognition received till now:

Sr. No.	Name of Prizes/Awards	Details of Award/Prize
1.		
2.		
3.		

12. Please justify why you should be considered eligible for this Award. (100 words)

(Strike whatever is not applicable in the proforma and if yes, explain in brief)

DECLARATION

I hereby declare and affirm that the property being cultivated by me as above is in my exclusive possession by virtue of inheritance/lease/ownership/power of attorney, tenancy/co-owner and I am rightfully authorized for its cultivation.

I have obtained all the approvals/NOCs required for the activities taken up by me from the Competent Authorities.

I hereby admit that the award, if awarded, will be based on my own submissions and that in case of any dispute on the activities take up by me or on ownership of land, the award availed will not be construed or used as legal evidence or proof for establishing my right to the said property.

I hereby indemnify the Department of Agriculture from any legal or financial damages caused, if any, due to conferring of the above award upto me. I also declare, that I have not received any such award in the past.

I authorise officials of the Department of Agriculture to visit my farm as and when required for verification or for demonstration of the strategies adopted by me.

.....
Signature of the farmer

Name:

Krishi Card No.:

Aadhar Card No.:



Department of Civil Supplies & Consumer Affairs

Notification

DCS/S/KER/PF/2014-15/762

In pursuance of clause 3 read with sub-clause (d)(i) of clause 2 of Kerosene (Fixation of Ceiling Price Order (1993), the Government of Goa hereby directs that maximum wholesale & retail price for domestic purpose of Kerosene superior shall be as under with effect from 1-11-2014. This Notification supersedes earlier Notification No. DCS/S/KER/PF/2014-15/716 dated 28-10-2014.

Sr. No.	Taluka	Wholesale Price per kilo litre including VAT & Green Cess	Wholesale Price per kilo litre including VAT & Green Cess	Retail Price per litre including VAT & Green Cess	Retail Price per litre including VAT & Green Cess
		Existing	Revised	Existing	Revised
1.	Tiswadi	Rs. 15500.86	Rs. 15603.60	Rs. 16.15	Rs. 16.26
	Chorao	Rs. 15532.36	Rs. 15635.10	Rs. 16.18	Rs. 16.29
	Diwar	Rs. 15532.36	Rs. 15635.10	Rs. 16.18	Rs. 16.29
2.	Salcete	Rs. 15008.49	Rs. 15111.23	Rs. 15.64	Rs. 15.75
3.	Bardez	Rs. 15656.34	Rs. 15759.08	Rs. 16.31	Rs. 16.42
	Corjuvem	Rs. 15656.34	Rs. 15759.08	Rs. 16.31	Rs. 16.42
4.	Mormugao	Rs. 14820.61	Rs. 14923.36	Rs. 15.44	Rs. 15.55
5.	Ponda	Rs. 15112.15	Rs. 15214.89	Rs. 15.75	Rs. 15.85
6.	Quepem	Rs. 15261.15	Rs. 15363.89	Rs. 15.90	Rs. 16.01
7.	Bicholim	Rs. 15669.30	Rs. 15772.04	Rs. 16.33	Rs. 16.43
8.	Pernem	Rs. 15960.83	Rs. 16063.57	Rs. 16.63	Rs. 16.74
9.	Canacona	Rs. 15559.16	Rs. 15661.91	Rs. 16.21	Rs. 16.32
10.	Sanguem	Rs. 15403.68	Rs. 15506.42	Rs. 16.05	Rs. 16.16
11.	Sattari	Rs. 15559.16	Rs. 15661.91	Rs. 16.21	Rs. 16.32
12.	Dharbandora	Rs. 15403.68	Rs. 15506.42	Rs. 16.05	Rs. 16.16

By order and in the name of the Governor of Goa.

Deepali D. Naik, Director & ex officio Joint Secretary (Civil Supplies & Consumer Affairs).
Panaji, 7th November, 2014.

Department of Education, Art & Culture

Directorate of Higher Education

Notification

10/91/2013-DHE

The "Scheme for Promotion of Cultural, Sports and Co-Curricular Activities in the Goa University and Colleges Affiliated to Goa University" has been approved by the Government of Goa and made applicable from the academic year 2014-15, is hereby published for the general information of the public.

Vinayak R. Kurtikar, Under Secretary
(Higher Education).

Porvorim, 27th October, 2014.

Scheme for promotion of Cultural, Sports and Co-Curricular Activities in the Goa University and Colleges Affiliated to Goa University

1. Objectives of the Scheme.— There is lot of inborn talent in the younger population of Goa. The students of Goa are largely talented in the areas of music, dramatics, debating, sports etc. However this inborn talent unless given an opportunity shall continue to remain latent. In order to promote these activities the colleges and Goa University require funds. At present these activities are managed through "Other Fees" paid by the students at the time of admissions to educational institutions. The funds raised thus are meager. The State Government therefore desires to introduce the SCHEME FOR PROMOTION OF CULTURAL, SPORTS AND CO-CURRICULAR ACTIVITIES conducted by the student community of Colleges that as also students of Goa University are affiliated to the Goa University. The Students Council of Goa University and the Students

Council of Colleges affiliated to the University shall utilize the grants provided by the Government for planning and execution of various Sports/Cultural and similarly related activities.

2. Short title and commencement.— (a) The scheme shall be called "SHRUJAN i.e. creativity. The scheme for promotion of Cultural, Sports and Co-Curricular Activities in the Goa University and Colleges Affiliated to Goa University".

(b) This scheme shall come into force from academic year 2014-15. The Directorate of Higher Education shall be the Nodal Department for release of grants to all institutions. Directorate of Technical Education shall process the applications of institutions under their control and forward the eligible ones to the Directorate of Higher Education for release of grants.

3. The following shall be the conditions governing the grant-in-aid to the colleges.

(a) Each College/University Students Council shall be paid grant-in-aid as per Annexure-I. For the purpose of receipt of grant-in-aid, the College/University shall open a joint account to be operated by Chairman/Treasurer of Students Council alongwith faculty appointed as Dean or Professor In-charge of students affairs.

(b) Fixed amount of grants shall be released every year as per availability of provisions made in budget. The unspent balance amount of previous year shall be deposited in Government Treasury before an application for fresh grants is made. (Format for application is provided at Annexure-II).

(c) The Students Councils shall be authorised to incur expenditures on the items listed in Annexure-III. Annexure-IV

contains a list of items that are specifically banned. Any expenditure not banned by Annexure-IV but not listed in Annexure-III can be incurred with permission of Dean/Professor In-charge of students activities in advance. Such records will have to be attached to final Statement of Accounts to be submitted to the Directorate of Higher Education.

(d) No single expenditure on an event except the pandal shall exceed 25% of the total GIA and top three items of expenditure taken together shall not exceed 80% of total grant-in-aid. However pandal expenditure can singularly be upto 50% of total GIA. In case the total expenditure on various events exceeds the limit set up as above, the institutions concerned shall be at liberty to raise additional resources through corporate sponsorships/private advertisements etc.

(e) The institutions shall not take any advertisement from Government/Semi-Government/Autonomous bodies as well as local Self Government bodies like Zilla Parishads/Village Panchayats etc. for the purpose of programs that are covered under the scheme. An undertaking to that effect is required to be signed by the Chairman/Treasurer and Dean/In-charge of students affairs.

(f) The scheme does not ban private and corporate advertisements or sponsorships in cash or in kind.

(g) The Grantee Institution shall furnish utilization certificate in form GFR-19(A) (placed at Annexure-V) within a period of six months from the date of utilization or close of financial year whichever is earlier.

(h) Non-submission of utilization certificate or audited statement within

stipulated period or violation of terms and conditions stipulated herein would act as disqualification for getting subsequent grant from Government.

(i) The grant is recurring in nature and will be utilized for the purposes for which it has been sanctioned.

(j) The Accounts of Grantee Institution shall be subject to audit by Comptroller and Auditor General. The internal audit shall be done by the Directorate of Higher Education, Government of Goa.

(k) The Grantee Institution must exercise reasonable economy and observe all financial propriety as issued by Government from time to time while incurring expenditure. The Grantee Institution shall conduct its business in conformity with rules applicable to Government of Goa.

(l) The Grantee Institution shall present to the Directorate of Higher Education, Government of Goa an annual Achievement-cum-Performance Report alongwith audited Statement of Accounts within a period of six months from the close of financial year.

(m) The Grantee Institution and its records shall be open to inspection by Directorate of Higher Education or its nominee at any point of time.

(n) In case of misutilization of grants, the release of further grants shall be stopped forthwith and the Grantee Institute will be banned from the benefit of the scheme during the period of its validity.

(o) The scheme shall be valid for a period of five years from the date of its notification in the Official Gazette of Government of Goa.

ANNEXURE-I

Quantum of Grant-in-Aid to Institutions

(a) Institutions whose strength is below 100	— 1.00 lakh per annum
(b) Institutions whose strength is 101 to 500	— 1.5 lakh per annum
(c) Institutions whose strength is 501 to 1000	— 1.75 lakh per annum
(d) Institutions whose strength is 1001 and above	— 2.00 lakhs per annum
(e) Goa University	— 15.00 lakhs per annum

Note: Institutions located in Mapusa, Margao, Vasco, Panaji and Ponda will get 30% more than their counterpart under respective categories.

ANNEXURE-II

1. Name of the Institution
2. Address of the Institution
3. Phone No. e-mail address
4. Name of the Principal
5. Mobile No. of Principal e-mail address
6. Name of the Dean/In-charge of students activities
7. Mobile No. of Dean/In-charge of students activities
8. Bank details:
 - (a) Bank Acct. No.
 - (b) Name of the Bank
 - (c) MICR Code
 - (d) IFC Code
9. List of proposed activities during the year

(please attach a detail proposal indicating type of activity, proposed items of expenditure, total amount of money budgeted for the activity).
10. Unspent balance of previous year if any

(Please attach xerox copy of challan by which unspent balance is deposited in the Treasury).

(Xerox copy of the Utilization Certificate of the grants released in the previous financial year).

ANNEXURE-III

List of items on which the organizers are authorized to incur expenditure

- (a) Stage setting including pandal, stage decoration, sound system, costumes etc.
- (b) Prizes for the various activities.
- (c) Lunch/Refreshments to judges, volunteers and organizers.

- (d) Travelling expenses incurred in connection with the organization of the program including the expenditure incurred on travelling of juries.
 (e) Expenditure incurred on mementos/and honorariums to the judges.
-

ANNEXURE-IV

List of items on which expenditure is not allowed to be incurred

- (a) Purchase of stage/pandal material.
 (b) Purchase of sound system.
 (c) Purchase of Computers/Laptops.
 (d) Purchase of Sports Material/Equipments.
 (e) Travelling expenses/D. A. for participating teams in case of inter-collegiate events.
-

ANNEXURE-V

FORM GFR 19-A

(See Government of India's Decision (1) below Rule 150)

Form of Utilization Certificate

Sl. No.	Letter No. and date	Amount
Total		

Certified that out of Rs. of grants-in-aid sanctioned during the year in favour of under this Ministry/Department Letter No. given in the margin and Rs. on account of unspent balance of the previous year, a sum of Rs. has been utilized for the purpose of for which it was sanctioned and that the balance of Rs. remaining unutilized at the end of year has been surrendered to Government (vide No. dated)/will be adjusted towards the grant-in-aid payable during the next year

2. Certified that I have satisfied myself that the conditions on which the grant-in-aid was sanctioned have been duly fulfilled/are being fulfilled and that I have exercised the following checks to see that the money was actually utilized for the purpose for which it was sanctioned.

Kinds of checks exercised

- 1.
- 2.
- 3.
- 4.
- 5.

Signature

Designation

Date

FORM GFR 19-B

(See Government of India's Decision (1) below Rule 150)

Form of Utilization Certificate

1. Certified that out of Rs. SANCTIONED under dated in favour of during the year an amount of Rs. has been utilized for the purpose for which it was sanctioned, and that the balance of Rs. remaining unutilized at the end of year has been surrendered to Government (vide No. dated)/will be adjusted towards the loan payable during the next year.

2. Certified that I have satisfied myself that the conditions on which the loan was sanctioned have been duly fulfilled/are being fulfilled and that I have exercised the following checks to see that the money was actually utilized for the purpose for which it was sanctioned.

Kinds of checks exercised

- 1.
- 2.
- 3.
- 4.
- 5.

Signature
Designation
Date



Department of Elections

Office of the Chief Electoral Officer

Order

5-64-2004/ELEC/4575

- Read: (1) Letter No. G-27031/2/2009-B&A dated 22-07-2009 from the Deputy Secretary, Government of India, Ministry of Law and Justice, Legislative Department, New Delhi.
- (2) Letter No. 218/6/2014/EPS dated 25-3-2014 received from Secretary, Election Commission of India, New Delhi.
- (3) O. M. No. 45/7/2008-P&PW(F) dated 12-7-2010 issued, by the Government of India, Ministry of Personnel Public Grievances and Pension, Department of Pension and Pensioners Welfare, 3rd Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110003 extracts forwarded by the Under Secretary Finance (R&C), Finance (Revenue & Control) Department, Secretariat, Porvorim-Goa vide O. M. No. 8/10/2008-Fin(R&C) dated 12-7-2013.
- (4) Order No. 5-64-2004/ELEC/834 dated 23-6-2008 issued by this Office.
- (5) Order No. 5-64-2004/ELEC/3232 dated 24-11-2009 issued by this Office.

Subject: General Elections/Bye-Election to the House of the People and Legislative Assemblies – Payment of an ex-gratia lump-sum compensation to the families of polling personnel who die or sustain injuries during the course of discharge of election duty.

In partial modification of previous order on the subject and as per directives of the Ministry of Law and Justice, Legislative Department, New Delhi, and the Election Commission of India, the Government of Goa has approved the following revised policy for payment of ex-gratia lump-sum compensation to the families of polling personnel who die or sustain injuries during the course of their deployment in election duty.

Sr. No.	Nature of Injury	Quantum of compensation
(i)	In the unfortunate event of death of the Official while on election duty	Rs. 10 lakhs as the minimum amount to be paid to the next of kin of the Official.
(ii)	In the case of death unfortunately caused due to any violent acts of extremists or unsocial elements like road mines, bomb blasts, armed attacks, etc.	The amount of compensation would be Rs. 20 lakhs.
(iii)	In the case of permanent disability, like loss of limb, eyesight, etc.	A minimum ex-gratia payment of Rs. 5.00 lakhs, would be given to the official.
(iv)	Which should be doubled in the case of such mishaps being caused by extremist or unsocial elements as aforesaid.	A minimum ex-gratia payment of Rs. 10 lakhs, would be given to the official.

In addition, the cases relating to allowing of an ex-gratia compensation in death cases are regulated keeping in view the stipulations and conditions laid down by the Ministry of Personnel, Public grievances & Pensions, Department of Pension and Pensioners' Welfare Office, Lok Nayak Bhawan, New Delhi and the aggregate of the relief/ex-gratia compensation paid from different sources should not exceed Rs. 20.00 lakhs in each individual case.

This issues with the approval of Hon'ble Chief Minister/Minister (Elections) vide its U. O. No. 2946/F dated 9-4-2014 and concurrence of Finance (Expenditure) Department vide their U. O. No. 2147/F dated 28-4-2014.

By order and in the name of the Governor of Goa.

Narayan S. Navti, Actg. Chief Electoral Officer.

Panaji, 4th November, 2014.

Department of Finance

Debt Management Division

Press Communiqué

1-45-96/Fin(DMU)PF-I

Goa State Development Loan, 2014

It is notified for general information that the outstanding balance of 7.32% Goa State Development Loan, 2014 issued in terms of the Government of Goa, Finance Department, Notification No. 1-45-2004, Fin (Bud) dated December 6, 2014, will be repaid at par on December 10, 2014 with interest due up to and including December 09, 2014. In the event of a holiday being declared on the aforesaid date by any State Government under the Negotiable Instruments Act, 1881, the loan will be repaid by the paying offices in that State on the previous working day. *No interest will accrue on the loan from and after December 10, 2014.*

2. As per sub-regulation 24 (2) and 24 (3) of Government Securities Regulations, 2007 payment of maturity proceeds to the registered holder of Government Security held in the form of Subsidiary General Ledger or Constituent Subsidiary General Ledger account or Stock Certificate shall be made by a pay order incorporating the relevant particulars of his bank account or by credit to the account of the holder in any bank having facility of receipt of funds through electronic means. For the purpose of making payment in respect of the securities, the original subscriber or the subsequent holders of such a Government Securities, as the case may be, shall submit to the Bank or Treasury and Sub-Treasury or branch of State Bank of India, or its subsidiary

banks where they are en faced/registered for payment of interest, as the case may be, the relevant particulars of their bank account.

3. However, in the absence of relevant particulars of bank account/mandate for receipt of funds through electronic means, to facilitate repayment on the due date, holders of 7.32% Goa State Development Loan, 2014, should tender their securities at the Public Debt Office, 20 days in advance. The securities should be tendered for repayment, duly discharged on the reverse thereof as under:—

“Received the Principal due on the
Certificate”.

4. It should be particularly noted that at places where the treasury work is done by a branch of the State Bank of India or any of its associate banks, the securities, if they are in the form of Stock Certificates, should be tendered at the branch of the bank concerned and not at the Treasury or Sub-Treasury.

5. Holders who wish to receive payment at places other than those where the securities have been en faced for payment should send them duly discharged to the Public Debt Office concerned by Registered and Insured Post. The Public Debt Office will make payment by issuing a draft payable at any Treasury/Sub-Treasury or branch of State Bank of India or its associate banks conducting Government Treasury work in the State of Goa.

P. Krishnamurthy, Secretary (Finance).

Porvorim, 10th November, 2014.

Department of Law & Judiciary

Legal Affairs Division

Notification

10/3/2014-LA/167

The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act No. 7 of 2014), which has been passed by Parliament and assented to by the President on 4-3-2014 and published in the Gazette of India, Extraordinary, Part II, Section I, dated 5-3-2014, is hereby published for the general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Porvorim, 16th June, 2014.

THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014

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THE FIRST SCHEDULE.

THE SECOND SCHEDEULE.

THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014

AN

ACT

to protect the rights of urban street vendors and to regulate street vending activities and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

CHAPTER I

Preliminary

1. *Short title, extent, commencement and provisions.*— (1) This Act may be called the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different States and any reference in any provision to the commencement of this Act shall be construed

in relation to any State as a reference to the coming into force of that provision in that State.

(4) The provisions of this Act shall not apply to any land, premises and trains owned and controlled by the Railways under the Railway Act, 1989.

24 of 1989.

2. *Definitions.*— (1) In this Act, unless the context otherwise requires,—

(a) “appropriate Government” means in respect of matters relating to,—

(i) a Union territory without Legislature, the Central Government;

(ii) the Union territories with Legislature, the Government of the National Capital Territory of Delhi or, as the case may be, the Government of Union territory of Puducherry;

(iii) a State, the State Government;

(b) “holding capacity” means the maximum number of street vendors who can be accommodated in any vending zone and has been determined as such by the local authority on the recommendations of the Town Vending Committee;

(c) “local authority” means a Municipal Corporation or a Municipal Council or a Nagar Panchayat, by whatever name called, or the Cantonment Board, or as the case may be, a civil area committee appointed under section 47 of the Cantonment Act, 2006 or such other body entitled 41 of 2006. to function as a local authority in any city or town to provide civic services and regulate street vending and includes the “planning authority” which regulates the land use in that city or town;

(d) "mobile vendors" means street vendors who carry out vending activities in designated area by moving from one place to another place vending their goods and services;

(e) "natural market" means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee;

(f) "notification" means a notification published in the Official Gazette and the term "notify" shall be construed accordingly;

(g) "planning authority" means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable Town and Country Planning Act or the Urban Development Act or the Municipal Act, as the case may be;

(h) "prescribed" means prescribed by rules made under this Act by the appropriate Government;

(i) "Schedule" means the Schedule annexed to this Act;

(j) "scheme" means a scheme framed by the appropriate Government under section 38;

(k) "stationary vendors" means street vendors who carry out vending activities on regular basis at a specific location;

(l) "street vendor" means a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the

general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;

(m) "Town Vending Committee" means the body constituted by the appropriate Government under section 22;

(n) "vending zone" means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending activities and providing services to the general public.

(2) Any reference in this Act to any enactment or any provision thereof, shall, in relation to an area in which such enactment or such provision is not in force be construed as a reference to the corresponding law, if any, in force in that area.

CHAPTER II

Regulation of Street Vending

3. Survey of street vendors and protection from eviction or relocation.—(1) The Town Vending Committee shall, within such period and in such manner as may be specified in the scheme, conduct a survey of all existing street vendors, within the area under its jurisdiction, and subsequent survey shall be carried out at least once in every five years.

(2) The Town Vending Committee shall ensure that all existing street vendors, identified in the survey, are accommodated in the vending zones subject to a norm

conforming to two and half per cent. of the population of the ward or zone or town or city, as the case may be, in accordance with the plan for street vending and the holding capacity of the vending zones.

(3) No street vendor shall be evicted or, as the case may be, relocated till the survey specified under sub-section (1) has been completed and the certificate of vending is issued to all street vendors.

4. Issue of certificate of vending.—(1) Every street vendor, identified under the survey carried out under sub-section (1) of section 3, who has completed the age of fourteen years or such age as may be prescribed by the appropriate Government, shall be issued a certificate of vending by the Town Vending Committee, subject to such terms and conditions and within the period specified in the scheme including the restrictions specified in the plan for street vending:

Provided that a person, whether or not included under the survey under sub-section (1) of section 3, who has been issued a certificate of vending before the commencement of this Act, whether known as licence or any other form of permission (whether as a stationary vendor or a mobile vendor or under any other category) shall be deemed to be a street vendor for that category for the period for which he has been issued such certificate of vending.

(2) Where, in the intervening period between two surveys, any person seeks to vend, the Town Vending Committee may grant a certificate of vending to such person, subject to the scheme, the plan for street vending and the holding capacity of the vending zones.

(3) Where the number of street vendors identified under sub-section (1) or the number of persons seeking to vend under sub-section (2) are more than the holding capacity of the vending zone and exceeds the number of persons to be accommodated in that vending

zone, the Town Vending Committee shall carry out a draw of lots for issuing the certificate of vending for that vending zone and the remaining persons shall be accommodated in any adjoining vending zone to avoid relocation.

5. Conditions for issue of certificate of vending.—(1) Every street vendor shall give an undertaking to the Town Vending Committee prior to the issue of a certificate of vending under section 4, that—

(a) he shall carry on the business of street vending himself or through any of his family member;

(b) he has no other means of livelihood;

(c) he shall not transfer in any manner whatsoever, including rent, the certificate of vending or the place specified therein to any other person.

(2) Where a street vendor to whom a certificate of vending is issued dies or suffers from any permanent disability or is ill, one of his family member in following order of priority, may vend in his place, till the validity of the certificate of vending—

(a) spouse of the street vendor;

(b) dependent child of the street vendor;

Provided that where a dispute arises as to who is entitled to vend in the place of the vendor, the matter shall be decided by the committee under section 20.

6. Categories of certificate of vending and issue of identity cards.—(1) The certificate of vending shall be issued under any of the following categories, namely:—

(a) a stationary vendor;

(b) a mobile vendor; or

(c) any other category as may be specified in the scheme.

(2) The certificate of vending issued for the categories specified in sub-section (1) shall be in such form, and issued in such manner, as may be specified in the scheme and specify the vending zone where the street vendor shall carry on his vending activities, the days and timings for carrying on such vending activities and the conditions and restrictions subject to which he shall carry on such vending activities.

(3) Every street vendor who has been issued certificate of vending under sub-section (1) shall be issued identity cards in such form and manner as may be specified in the scheme.

7. Criteria for issuing certificate of vending.—The criteria to be followed by the Town Vending Committee for issuing certificate of vending to a street vendor shall be as specified in the scheme, which may, apart from other things, provide for preference to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, women, persons with disabilities, minorities or such other categories as may be specified in the scheme.

8. Vending fees.—Every street vendor who has been issued certificate of vending shall pay such vending fees as may be specified in the scheme.

9. Validity and renewal of certificate of vending.—(1) Every certificate of vending shall be valid for such period as may be specified in the scheme.

(2) Every certificate of vending shall be renewable for such period, in such manner, and on payment of such fees, as may be specified in the scheme.

10. Cancellation or suspension of certificate of vending.—Where a street vendor who has been issued a certificate of vending under this Act commits breach of any of the conditions thereof or any other terms and conditions specified for the purpose of regulating street vending under this Act or any rules or schemes made thereunder, or where the Town Vending Committee is satisfied that such certificate of

vending has been secured by the street vendor through misrepresentation or fraud, the Town Vending Committee may, without prejudice to any other fine which may have been incurred by the street vendor under this Act, cancel the certificate of vending or suspend the same in such manner as may be specified in the scheme and for such period as it deems fit:

Provided that no such cancellation or suspension shall be made by the Town Vending Committee unless an opportunity of hearing has been given to the street vendor.

11. Appeal from decision of Town Vending Committee.—(1) Any person who is aggrieved by any decision of the Town Vending Committee with respect to issue of certificate of vending under section 6 or cancellation or suspension of certificate of vending under section 10 may prefer an appeal to the local authority in such form, within such period, and in such manner, as may be prescribed.

(2) No appeal shall be disposed of by the local authority unless the appellant has been given an opportunity of hearing.

CHAPTER III

Rights and Obligations of Street Vendors

12. Rights of street vendor.—(1) Every street vendor shall have the right to carry on the business of street vending activities in accordance with the terms and conditions mentioned in the certificate of vending.

(2) Notwithstanding anything contained in sub-section (1), where any area or space, as the case may be, has been earmarked as no-vending zone, no street vendor shall carry out any vending activities in that zone.

13. Right of street vendor for a new site or area on relocation.—Every street vendor, who possesses a certificate of vending, shall, in case of his relocation under section 18, be entitled for new site or area, as the case may be, for carrying out his vending activities as may be determined by the local authority, in

consultation with the Town Vending Committee.

14. Duty of street vendors.— Where a street vendor occupies space on a time sharing basis, he shall remove his goods and wares every day at the end of the time-sharing period allowed to him.

15. Maintenance of cleanliness and public hygiene.— Every street vendor shall maintain cleanliness and public hygiene in the vending zones and the adjoining areas.

16. Maintenance of civic amenities in vending zone in good condition.— Every street vendor shall maintain civic amenities and public property in the vending zone in good condition and not damage or destroy or cause any damage or destruction to the same.

17. Payment of maintenance charges.— Every street vendor shall pay such periodic maintenance charges for the civic amenities and facilities provided in the vending zones as may be determined by the local authority.

CHAPTER IV

Relocation and Eviction of Street Vendors

18. Relocation or eviction of street vendors.—
(1) The local authority may, on the recommendations of the Town Vending Committee, declare a zone or part of it to be a no-vending zone for any public purpose and relocate the street vendors vending in that area, in such manner as may be specified in the scheme.

(2) The local authority shall evict such street vendor whose certificate of vending has been cancelled under section 10 or who does not have a certificate of vending and vends without such certificate, in such manner as may be specified in the scheme.

(3) No street vendor shall be relocated or evicted by the local authority from the place specified in the certificate of vending unless he has been given thirty days' notice for the

same in such manner as may be specified in the scheme.

(4) A street vendor shall be relocated or evicted by the local authority physically in such manner as may be specified in the scheme only after he had failed to vacate the place specified in the certificate of vending, after the expiry of the period specified in the notice.

(5) Every street vendor who fails to relocate or vacate the place specified in the certificate of vending, after the expiry of the period specified in the notice, shall be liable to pay for every day of such default, a penalty which may extend up to two hundred and fifty rupees, as may be determined by the local authority, but shall not be more than the value of goods seized.

19. Seizure and reclaiming of goods.— (1) If the street vendor fails to vacate the place specified in the certificate of vending, after the lapse of the period specified in the notice given under sub-section (3) of section 18, the local authority, in addition to evicting the street vendor under section 18, may, if it deems necessary, seize the goods of such street vendor in such manner as may be specified in the scheme:

Provided that where any such seizure is carried out, a list of goods seized shall be prepared, as specified in the scheme, and a copy thereof, duly signed by the person authorised to seize the goods, shall be issued to the street vendor.

(2) The street vendor whose goods have been seized under sub-section (1) may, reclaim his goods in such manner, and after paying such fees, as may be specified in the scheme:

Provided that in case of non-perishable goods, the local authority shall release the goods within two working days of the claim being made by the street vendor, and in case of perishable goods the local authority shall release the goods on the same day of the claim being made by the street vendor.

CHAPTER V

Dispute Redressal Mechanism

20. Redressal of grievances or resolution of disputes of street vendors.—(1) The appropriate Government may constitute one or more committees consisting of a Chairperson who has been a civil judge or a judicial magistrate and two other professionals having such experience as may be prescribed for the purpose of deciding the applications received under sub-section (2):

Provided that no employee of the appropriate Government or the local authority shall be appointed as members of the committee.

(2) Every street vendor who has a grievance or dispute may make an application in writing to the committee constituted under sub-section (1) in such form and manner as may be prescribed.

(3) On receipt of grievance or dispute under sub-section (2), the committee referred to in sub-section (1) shall, after verification and enquiry in such manner, as may be prescribed, take steps for redressal of such grievance or resolution of such dispute, within such time and in such manner as may be prescribed.

(4) Any person who is aggrieved by the decision of the committee may prefer an appeal to the local authority in such form, within such time and in such manner as may be prescribed.

(5) The local authority shall dispose of the appeal received under sub-section (4) within such time and in such manner as may be prescribed:

Provided that the local authority shall, before disposing of the appeal, give an opportunity of being heard to the aggrieved person.

CHAPTER VI

Plan for Street Vending

21. Plan for street vending.—(1) Every local authority shall, in consultation with the

planning authority and on the recommendations of the Town Vending Committee, once in every five years, prepare a plan to promote the vocation of street vendors covering the matters contained in the First Schedule.

(2) The plan for street vending prepared by the local authority shall be submitted to the appropriate Government for approval and that Government shall, before notifying the plan, determine the norms applicable to the street vendors.

CHAPTER VII

Town Vending Committee

22. Town Vending Committee.—(1) The appropriate Government may, by rules made in this behalf, provide for the term and the manner of constituting a Town Vending Committee in each local authority:

Provided that the appropriate Government may, if considers necessary, provide for constitution of more than one Town Vending Committee, or a Town Vending Committee for each zone or ward, in each local authority.

(2) Each Town Vending Committee shall consist of:—

(a) Municipal Commissioner or Chief Executive Officer, as the case may be, who shall be the Chairperson; and

(b) such number of other members as may be prescribed, to be nominated by the appropriate Government, representing the local authority, medical officer of the local authority, the planning authority, traffic police, police, association of street vendors, market associations, traders associations, non-governmental organisations, community based organisations, resident welfare associations, banks and such other interests as it deems proper;

(c) the number of members nominated to represent the non-governmental organisations and the community based organisations shall not be less than ten per cent.;

(d) the number of members representing the street vendors shall not be less than forty per cent. who shall be elected by the street vendors themselves in such manner as may be prescribed:

Provided that one-third of members representing the street vendors shall be from amongst women vendors:

Provided further that due representation shall be given to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, minorities and persons with disabilities from amongst the members representing street vendors.

(3) The Chairperson and the members nominated under sub-section (2) shall receive such allowances as may be prescribed by the appropriate Government.

23. Meeting of Town Vending Committee.—(1) The Town Vending Committee shall meet at such times and places within the jurisdiction of the local authority and shall observe such rules of procedure in regard to the transaction of business at its meetings, and discharge such functions, as may be prescribed.

(2) Every decision of the Town Vending Committee shall be notified along with the reasons for taking such decision.

24. Temporary association of persons with Town Vending Committee for particular purposes.—(1) The Town Vending Committee may associate with itself in such manner and for such purposes, as may be prescribed, any person whose assistance or advice it may desire, in carrying out any of the provisions of this Act.

(2) A person associated under sub-section (1) shall be paid such allowances as may be prescribed.

25. Office space and other employees for Town Vending Committee.—The local authority shall provide the Town Vending Committee with

appropriate office space and such employees as may be prescribed.

26. Publication of street vendor's charter and data-base and carrying out of social audit.—(1) Every Town Vending Committee shall publish the street vendor's charter specifying therein the time within which the certificate of vending shall be issued to a street vendor and the time within which such certificate of vending shall be renewed and other activities to be performed within the time limit specified therein.

(2) Every Town Vending Committee shall maintain up to date records of registered street vendors and street vendors to whom certificate of vending has been issued containing name of such street vendor, stall allotted to him, nature of business carried out by him, category of street vending and such other particulars which may be relevant to the street vendors, in such manner as may be prescribed.

(3) Every Town Vending Committee shall carry out social audit of its activities under the Act or the rules or the schemes made thereunder in such form and manner as may be specified in the scheme.

CHAPTER VIII

Prevention of Harassment of Street Vendors

27. Prevention of harassment by police and other authorities.—Notwithstanding anything contained in any other law for the time being in force, no street vendor who carries on the street vending activities in accordance with the terms and conditions of his certificate of vending shall be prevented from exercising such rights by any person or police or any other authority exercising powers under any other law for the time being in force.

CHAPTER IX

Penal Provisions

28. Penalty for contravention.—If any street vendor—

- (a) indulges in vending activities without a certificate of vending;
- (b) contravenes the terms of certificate of vending; or
- (c) contravenes any other terms and conditions specified for the purpose of regulating street vending under this Act or any rules or schemes made thereunder,

he shall be liable to a penalty for each such offence which may extend up to rupees two thousand as may be determined by the local authority.

CHAPTER X

Miscellaneous

29. Provisions of this Act, not to be construed as conferring ownership rights, etc.— (1) Nothing contained in this Act shall be construed as conferring upon a street vendor any temporary, permanent or perpetual right of carrying out vending activities in the vending zones allotted to him or in respect of any place on which he carries on such vending activity.

(2) Nothing contained in sub-section (1) shall apply to any stationery vendor, if a temporary leasehold or ownership right has been conferred on him by a lease deed or otherwise, in respect of a place at specific location where he carries on such vending activity in accordance with the provisions of any law for the time being in force for carrying out such vending activity.

30. Returns.— Every Town Vending Committee shall furnish, from time to time, to the appropriate Government and the local authority such returns as may be prescribed.

31. Promotional measures.— The appropriate Government may, in consultation with the Town Vending Committee, local authority, planning authority and street vendors associations or unions, undertake promotional measures of making available credit, insurance

and other welfare schemes of social security for the street vendors.

32. Research, training and awareness.— The appropriate Government may, to the extent of availability of financial and other resources,—

- (a) organise capacity building programmes to enable the street vendors to exercise the rights contemplated under this Act;

(b) undertake research, education and training programmes to advance knowledge and understanding of the role of the informal sector in the economy, in general and the street vendors, in particular and to raise awareness among the public through Town Vending Committee.

33. Act to have overriding effect.— The provisions of this Act shall have effect notwithstanding anything inconsistent therein contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

34. Power to delegate.— The appropriate Government may, by general or special order in writing, delegate such of its powers and functions under this Act (excluding the power to frame scheme under section 38 and power to make rules under section 36), as it may deem necessary, to the local authority or the Town Vending Committee or any other officer, subject to such conditions, if any, as may be specified in that order.

35. Power to amend Schedules.— (1) On the recommendations made by the appropriate Government or otherwise, if the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification, amend the Schedules and thereupon the First Schedule or the Second Schedule, as the case may be, shall be deemed to have been amended accordingly.

(2) A copy of every notification issued under sub-section (1), shall be laid before each House of Parliament as soon as may be after it is issued.

36. *Power to make rules.*— (1) The appropriate Government shall, within one year from the date of commencement of this Act, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the age for street vending under sub-section (1) of section 4;

(b) the form, period and manner of filing appeal with the local authority under sub-section (1) of section 11;

(c) the persons and the experience such person shall have under sub-section (1) of section 20;

(d) the form and the manner of making application under sub-section (2) of section 20;

(e) the manner of verification and enquiry on receipt of grievance or dispute, the time within which and the manner in which steps for redressal of grievances and resolution of disputes may be taken under sub-section (3) of section 20;

(f) the form, the time within which and the manner in which an appeal may be filed under sub-section (4) of section 20;

(g) the time within which and the manner in which an appeal shall be disposed of under sub-section (5) of section 20;

(h) the term of, and the manner of constituting, the Town Vending Committee under sub-section (1) of section 22;

(i) the number of other members of the Town Vending Committee under clause (b) of sub-section (2) of section 22;

(j) the manner of elections among street vendors under clause (d) of sub-section (2) of section 22;

(k) the allowances to Chairperson and members under sub-section (3) of section 22;

(l) the time and place for meeting, procedure for transaction of business at meetings and functions to be discharged by the Town Vending Committee under section 23;

(m) the manner and the purpose for which a person may be associated under sub-section (1) of section 24;

(n) the allowances to be paid to an associated person under sub-section (2) of section 24;

(o) the other employees of Town Vending Committee under section 25;

(p) the manner of maintaining up to date record of all street vendors under sub-section (2) of section 26;

(q) the returns to be furnished under section 30;

(r) the manner of publishing summary of scheme under sub-section (2) of section 38.

(3) Every rule and scheme made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or scheme or both Houses agree that the rule or scheme should not be made, the rule or scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or scheme.

(4) Every rule or scheme made by the State Government under this Act shall, as soon as

may be after it is made, be laid before each House of the State Legislature where there are two Houses, and where there is one House of the State Legislature, before that House.

37. Power to make bye-laws.—Subject to the provisions of this Act or any rule or scheme made thereunder, the local authority may make bye-laws to provide for all or any of the following matters, namely:—

(a) the regulation and manner of vending in restriction-free-vending zones, restricted-vending zones and designated vending zones;

(b) determination of monthly maintenance charges for the civic amenities and facilities in the vending zones under section 17;

(c) determination of penalty under sub-section (5) of section 18 and section 28;

(d) the regulation of the collection of taxes and fees in the vending zones;

(e) the regulation of traffic in the vending zones;

(f) the regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards;

(g) the regulation of civic services in the vending zones; and

(h) the regulation of such other matters in the vending zones as may be necessary.

38. Scheme for street vendors.—(1) For the purposes of this Act, the appropriate Government shall frame a scheme, within six months from the date of commencement of this Act, after due consultations with the local authority and the Town Vending Committee, by notification, which may specify all or any of the matters provided in the Second Schedule.

(2) A summary of the scheme notified by the appropriate Government under sub-

-section (1) shall be published by the local authority in at least two local news papers in such manner as may be prescribed.

39. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no order shall be made under this section after expiry of three years from the commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

THE FIRST SCHEDULE

(See section 21)

Plan for Street Vending

(1) The plan for street vending shall,—

(a) ensure that all existing street vendors identified in the survey, subject to a norm conforming to two and half per cent. of the population of the ward, zone, town or city, as the case may be, are accommodated in the plan for street vending;

(b) ensure the right of commuters to move freely and use the roads without any impediment;

(c) ensure that the provision of space or area for street vending is reasonable and consistent with existing natural markets;

(d) take into account the civic facilities for appropriate use of identified spaces or areas as vending zones;

(e) promote convenient, efficient and cost effective distribution of goods and provision of services;

(f) such other matters as may be specified in the scheme to give effect to the plan for street vending.

(2) The plan for street vending shall contain all of the following matters, namely:—

- (a) determination of spatial planning norms for street vending;
- (b) earmarking of space or area for vending zones;
- (c) determination of vending zones as restriction-free-vending zones, restricted-vending zones and no-vending zones;
- (d) making of spatial plans conducive and adequate for the prevalent number of street vendors in that city or town and also for the future growth, by adopting such norms as may be necessary;
- (e) consequential changes needed in the existing master plan, development plan, zonal plan, layout plan and any other plan for accommodating street vendors in the designated vending zones.

(3) Declaration of no-vending zone shall be carried out by the plan for street vending, subject to the following principles, namely:—

- (a) any existing market, or a natural market as identified under the survey shall not be declared as a no-vending zone;
- (b) declaration of no-vending zone shall be done in a manner which displaces the minimum percentage of street vendors;
- (c) overcrowding of any place shall not be a basis for declaring any area as a no-vending zone provided that restrictions may be placed on issuing certificate of vending in such areas to persons not identified as street vendors in the survey;
- (d) sanitary concerns shall not be the basis for declaring any area as a no-vending zone unless such concerns can be solely attributed to street vendors and cannot be resolved through appropriate civic action by the local authority;
- (e) till such time as the survey has not been carried out and the plan for street vending has not been formulated, no zone shall be declared as a no-vending zone.

THE SECOND SCHEDULE

(See section 38)

Matters to be provided in the Scheme for Street Vendors framed by the appropriate Government:—

- (a) the manner of conducting survey;
- (b) the period within which certificate of vending shall be issued to the street vendors identified under the survey;
- (c) the terms and conditions subject to which certificate of vending may be issued to a street vendor including to those persons who wish to carry on street vending during the intervening period of two surveys;
- (d) the form and the manner in which the certificate of vending may be issued to a street vendor;
- (e) the form and manner of issuing identity cards to street vendors;
- (f) the criteria for issuing certificate of vending to street vendors;
- (g) the vending fees to be paid on the basis of category of street vending, which may be different for different cities;
- (h) the manner of collecting, through banks, counters of local authority and counters of Town Vending Committee, vending fees, maintenance charges and penalties for registration, use of parking space for mobile stalls and availing of civic services;
- (i) the period of validity of certificate of vending;
- (j) the period for which and the manner in which a certificate of vending may be renewed and the fees for such renewal;
- (k) the manner in which the certificate of vending may be suspended or cancelled;
- (l) the categories of street vendors other than stationery vendors and mobile vendors;
- (m) the other categories of persons for preference for issue of certificate of vending;

- (n) the public purpose for which a street vendor may be relocated and the manner of relocating street vendor;
- (o) the manner of evicting a street vendor;
- (p) the manner of giving notice for eviction of a street vendor;
- (q) the manner of evicting a street vendor physically on failure to evict;
- (r) the manner of seizure of goods by the local authority, including preparation and issue of list of goods seized;
- (s) the manner of reclaiming seized goods by the street vendor and the fees for the same;
- (t) the form and the manner for carrying out social audit of the activities of Town Vending Committee;
- (u) the conditions under which private places may be designated as restriction-free-vending zones, restricted-vending zones and no-vending zones;
- (v) the terms and conditions for street vending including norms to be observed for up keeping public health and hygiene;
- (w) the designation of State Nodal Officer for co-ordination of all matters relating to street vending at the state level;
- (x) the manner of maintenance of proper records and other documents by the Town Vending Committee, local authority, planning authority and State Nodal Officer in respect of street vendors;
- (y) the manner of carrying out vending activities on time-sharing basis;
- (z) the principles for determination of vending zones as restriction-free-vending zones, restricted-vending zones and no-vending zones;

- (za) the principles for determining holding capacity of vending zones and the manner of undertaking comprehensive census and survey;
- (zb) principles of relocation subject to the following:—
 - (i) relocation should be avoided as far as possible, unless there is clear and urgent need for the land in question;
 - (ii) affected vendors or their representatives shall be involved in planning and implementation of the rehabilitation project;
 - (iii) affected vendors shall be relocated so as to improve their livelihoods and standards of living or at least to restore them, in real terms to pre-evicted levels;
 - (iv) livelihood opportunities created by new infrastructure development projects shall accommodate the displaced vendors so that they can make use of the livelihood opportunities created by the new infrastructure;
 - (v) loss of assets shall be avoided and in case of any loss, it shall be compensated;
 - (vi) any transfer of title or other interest in land shall not affect the rights of street vendors on such land, and any relocation consequent upon such a transfer shall be done in accordance with the provisions of this Act;
 - (vii) state machinery shall take comprehensive measures to check and control the practice of forced evictions;
 - (viii) natural markets where street vendors have conducted business for over fifty years shall be declared as heritage markets, and the street vendors in such markets shall not be relocated;
 - (zc) any other matter which may be included in the scheme for carrying out the purposes of this Act.

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